

**MINUTE ITEM**

This Calendar Item No. C62 was approved as Minute Item No. 62 by the California State Lands Commission by a vote of 3 to 0 at its 06/26/06 meeting.

**CALENDAR ITEM**

**C62**

A 8,15

06/26/06

S 5,14

PRC 5498.1

J. McComas

**GENERAL LEASE - COMMERCIAL USE**

**APPLICANTS:**

Gene H. Colver and Kathy C. Colver  
DBA Deckhands

**AREA, LAND TYPE, AND LOCATION:**

Sovereign lands in the Sacramento River, at Walnut Grove, Sacramento County.

**AUTHORIZED USE:**

Continued use and maintenance of an existing uncovered floating accommodation dock, fixed walkway, and pilings as shown on Exhibit A.

**LEASE TERM:**

20 years, beginning June 1, 2006.

**CONSIDERATION:**

\$1,275 per year, with the State reserving the right to fix a different rent periodically during the term of the lease, as provided in the lease.

**SPECIFIC LEASE PROVISIONS:**

Insurance:

Liability insurance with coverage of no less than \$1,000,000.

Bond:

\$10,000.

**SPECIAL PROVISIONS:**

Best Management Practices for Marina Owners/Operators and Guest Dock Users and Boaters.

**OTHER PERTINENT INFORMATION:**

1. Applicants own the uplands adjoining the lease premises.

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2. On June 22, 1978, the Commission approved a 15 year General Lease - Commercial Use Lease No. PRC 5498.1, to Gene H. and Hope Colver for the construction, use, and maintenance of a floating accommodation dock and fixed walkway. That lease expired June 1, 1993.
3. On August 31, 1994, an application was submitted by Gene H. and Hope Colver, but the application was deemed incomplete because they failed to provide the additional information requested by staff. The current Applicants have subsequently submitted the information requested and the application is now complete. During the interim period, between May 31, 1993 and the present, the Lease has been in holdover status. The rent is current, no changes have been made to the lease premises, and the upland properties adjacent to the lease premises have been transferred to the current Applicants..
4. The lease contains provisions that the Applicants must implement the Commission's "Best Management Practices for Marina Owners/Operator's" and encourage the implementation of the Commission's "Best Management Practices for Guest Dock Users and Boaters", including additional Best Management Practices (BMPs) the Commission subsequently deems appropriate for either of the above categories. Applicants are required to post the BMPs for "Guest Dock Users and Boaters" in prominent places within the lease premises. The Applicants will provide the Commission, on the first anniversary of the lease and on each successive third anniversary of the lease thereafter, a report on compliance with all BMPs.
5. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; Title 2, California Code of Regulations, section 2905 (a)(2).

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300 and Title 2, California Code of Regulations, section 2905.

6. This activity involves lands identified as possessing significant

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environmental values pursuant to Public Resources Code sections 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

**EXHIBIT:**

A. Site and Location Map

**RECOMMENDED ACTION:**

IT IS RECOMMENDED THAT THE COMMISSION:

**CEQA FINDING:**

FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (a)(2).

**SIGNIFICANT LANDS INVENTORY FINDING:**

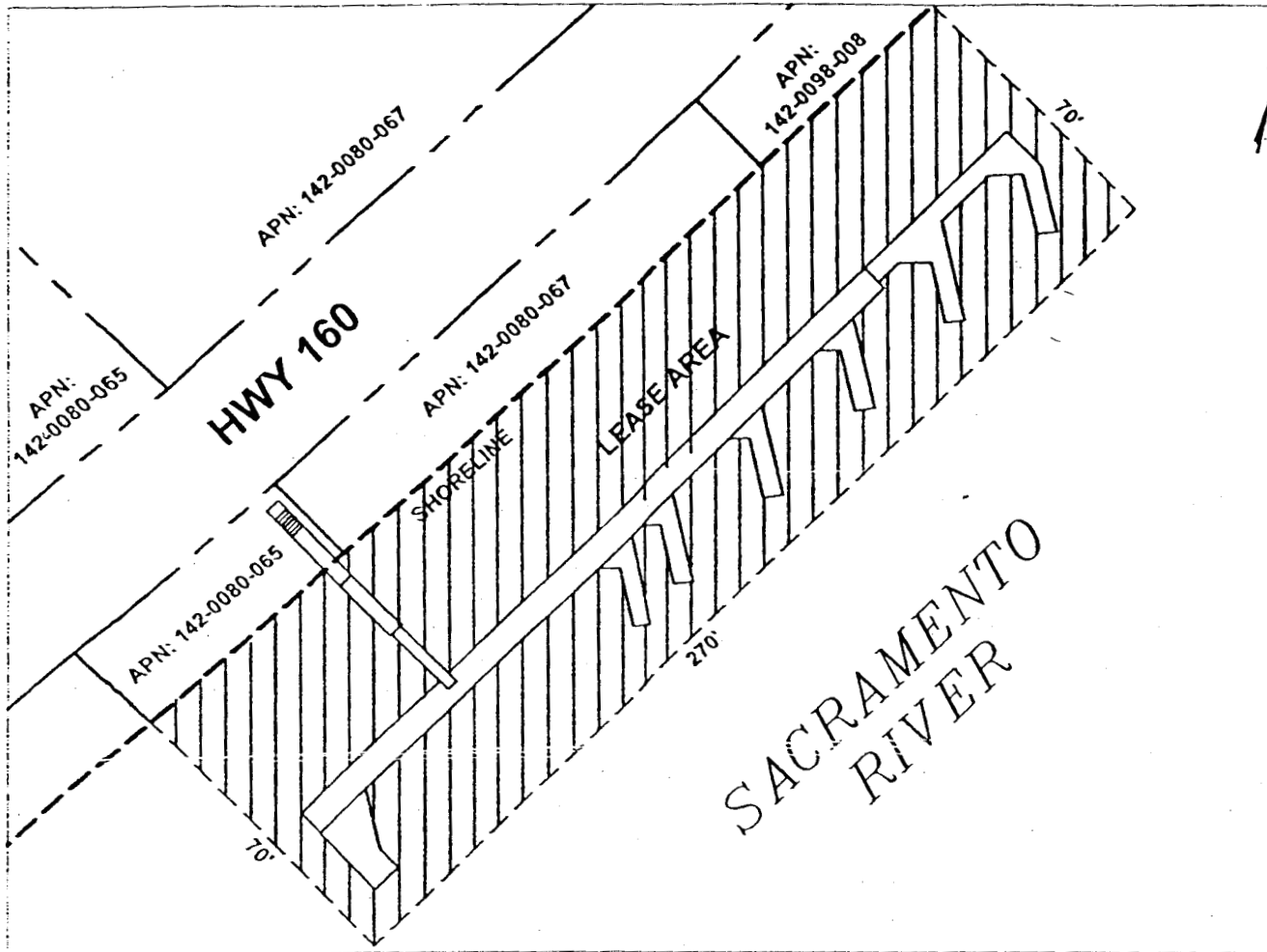
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

**AUTHORIZATION:**

AUTHORIZE ISSUANCE TO GENE H. COLVER AND KATHY C. COLVER OF A GENERAL LEASE - COMMERCIAL USE, BEGINNING JUNE 1, 2006, FOR A TERM OF 20 YEARS, FOR THE CONTINUED USE AND MAINTENANCE OF AN UNCOVERED FLOATING ACCOMMODATION DOCK, FIXED WALKWAY, AND PILINGS AS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; ANNUAL RENT IN THE AMOUNT OF \$1,275, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENT PERIODICALLY DURING THE LEASE TERM, AS PROVIDED IN THE LEASE; LIABILITY INSURANCE WITH COVERAGE OF NO LESS THAN \$1,000,000; SURETY BOND IN THE AMOUNT OF \$10,000.

NO SCALE

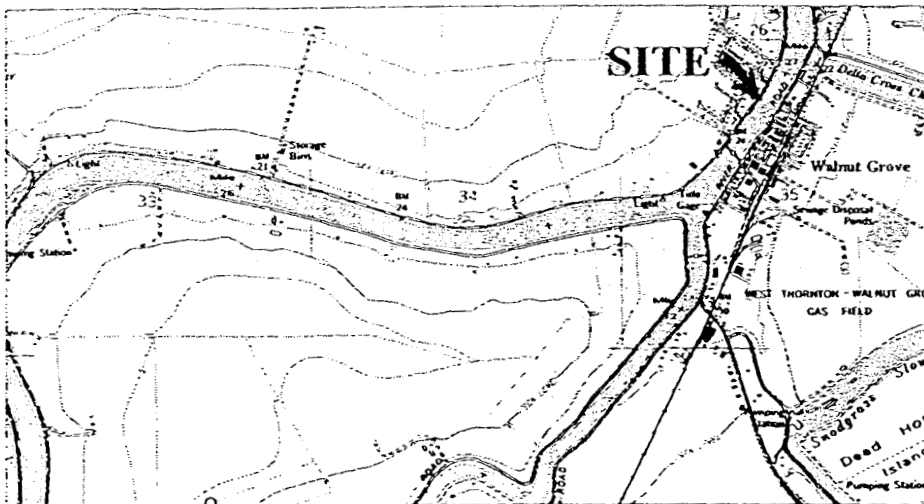
## SITE



14090 HWY 160, WALNUT GROVE

NO SCALE

## LOCATION



MAP SOURCE: USGS QUAD

This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

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001007

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## **Exhibit A**

WP 5498

APN:142-0080-065,-067

& 142-0090-008

GENERAL LEASE

COMMERCIAL USE

SACRAMENTO COUNTY



MJF 5/8/06